

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION**

NGHIA DAI NGUYEN,	:	
	:	
Petitioner,	:	
	:	
v.	:	CASE NO. 7:18-CV-92-HL-MSH
	:	28 U.S.C. § 2241
IMMIGRATION AND CUSTOMS	:	
ENFORCEMENT,	:	
	:	
Respondent.	:	

ORDER

Respondent filed a Motion to Dismiss (ECF No. 7) the above-styled petition. Under the procedures and policies of this court, motions to dismiss are normally decided on briefs. The court considers the pleadings and the complaint in deciding whether dismissal is appropriate. The parties may submit their argument to this Court by filing briefs in support of or briefs in opposition to said motions. Petitioner should respond to Respondent's Motion to Dismiss in accordance with this Order.

The law provides that the party against whom dismissal is sought must be given ten (10) days notice of the dismissal rules. In addition, the party upon whom a motion to dismiss has been filed has the right to file a brief in opposition to a motion to dismiss. If he fails to file a brief in opposition to the motion to dismiss, a final judgment may be rendered against him if otherwise appropriate under law.

**FAILURE OF THE PETITIONER HEREIN TO RESPOND TO AND
REBUT THE LEGAL ARGUMENTS SET FORTH IN THE RESPONDENT'S**

BRIEF MAY RESULT IN SAID STATEMENTS BEING ACCEPTED AS UNCONTESTED AND CORRECT. The Court could grant judgment to Respondent and there would be no hearing or further proceedings regarding this case. Accordingly, the Petitioner is notified of his right to file a response to the Respondent's Motion to Dismiss. Any such response should be filed within thirty (30) days of receipt of this Order. Thereafter, the court will consider the Respondent's Motion to Dismiss and any opposition to same filed by the Petitioner and issue its ruling thereon.

SO ORDERED, this 20th day of August, 2018.

/s/ Stephen Hyles

UNITED STATES MAGISTRATE JUDGE